

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	Case No. 10-MJ-456
	)	
Plaintiff,	)	ORDER DENYING STIPULATED
	)	MOTION TO EXTEND TIME
v.	)	TO FILE INDICTMENT
	)	
WILLIAM ROBERT HARRIS,	)	
	)	
Defendant.	)	
_____	)	

On February 10, 2011, the parties to the above-captioned matter filed a Stipulated Motion for Extension of Time to File Indictment. Dkt. 19. The motion argues that granting a continuance would satisfy the “interests of justice” by providing defense counsel additional time to investigate the matter “with a view to resolving this case” short of trial. *Id.* at 2.

Congress, however, “did not intend the ‘ends of justice’ exclusion to be granted as a matter of course but rather [intended it] to be used sparingly and only when necessary.” *United States v. Lewis*, 980 F.2d 555, 560 (9th Cir. 1992). Hence, an “ends of justice” exclusion may be granted only for a specific duration when “justified [on the record] with reference to the facts as of the time the delay is ordered.” *United States v. Ramirez-Cortez*, 213 F.3d 1149, 1154 (9th Cir. 2000) (internal quotations and emphasis omitted). Generalized assertions that the “ends of justice” will be satisfied by the granting of a continuance are

01 insufficient. *Id.* at 1154-55.

02 Here, the parties have provided no evidence, nor adduced any facts from the record  
03 sufficient to justify granting a continuance. The parties' vague assertions that "the interests  
04 of justice, for the public and the defendant, will be served" if defense counsel is granted  
05 additional time to investigate "with a view to resolving this case" are insufficient to justify a  
06 continuance. The parties' motion is therefore DENIED.

07 DATED this 11th day of February, 2011.

08   
09 JAMES P. DONOHUE  
10 United States Magistrate Judge  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26